

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|---|---|-------------------------------|
| In re: PHARMACEUTICAL INDUSTRY |) | |
| AVERAGE WHOLESAL PRICE |) | |
| LITIGATION |) | MDL No. 1456 |
| _____ |) | Civil Action No. 01-12257-PBS |
| |) | |
| THIS DOCUMENT RELATES TO: |) | Hon. Patti B. Saris |
| |) | |
| <i>United States of America ex rel. Ven-a-Care of</i> |) | |
| <i>the Florida Keys, Inc., v. Boehringer</i> |) | |
| <i>Ingelheim Corp., et al., Civil Action No. 07-</i> |) | |
| <i>10248-PBS</i> |) | |

**UNITED STATES' UNOPPOSED MOTION
FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF
MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

Plaintiff United States of America respectfully moves the Court for leave to file the reply brief attached hereto as Exhibit 1 in support of its Motion for Leave to File Amended Complaint.

The Roxane defendants do not oppose this motion.

Respectfully submitted,

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By: /s/ James J. Fauci
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Dated: November 24, 2008

RULE 7.1 CERTIFICATION

The undersigned counsel certifies pursuant to Local Rule 7.1(a)(2) that he has conferred with counsel for the Defendants on the issues raised in this motion, and the Defendants do not oppose this motion.

/s/ James J. Fauci

James J. Fauci

Dated: November 24, 2008

Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused an electronic copy of the above UNITED STATES' UNOPPOSED MOTION FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE AMENDED COMPLAINT to be served on all counsel of record via electronic service pursuant to the Case Management Order by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ James J. Fauci

James J. Fauci

Dated: November 24, 2008

Assistant U.S. Attorney